

## **REMARKS/ARGUMENTS**

### **Status of the Claims**

Claims 24, 25, and 27 are currently pending in the application. Claims 24, 25, and 27 have been amended. No claims have been added. No claims have been canceled. Therefore, claims 24, 25, and 27 are present for examination. Claims 24, 25 and 27 are independent claims. Applicants respectfully request reconsideration of this application as amended.

### **Claim Rejections Under 35 U.S.C. §102**

Claims 24, 25, and 27 have been rejected under 35 U.S.C. § 102(e) as being unpatentable over U.S. Patent No. 6,580,870 B1 issued to Kanazawa et al. (“**Kanazawa**”)

Claim 24, as amended, recites that the recording medium includes “data which includes information which represents a *first state* to direct the related content to be downloaded or a *second state* to direct the related content to be *downloaded and played back*.” (emphasis provided). Furthermore, the system control module of claim 24 “determines whether a request is for downloading the related content or for *downloading and playing back* the related content, by reproducing the data which includes information which represents the first or second state.” The system control module is further configured to operate according to the determination. As such, the claimed invention is able to operate by seamlessly downloading and playing back the data depending on the determination of the first or second state.

In contrast, Kanazawa does not have such data including information which indicates a first or second state. Hence, Kanazawa does not specifically determine the nature of a request, and cannot modify operate depending on the determination of a state, as recited by claims 24.

Specifically, the claimed invention and Kanazawa have two major differences:

- (1) Kanazawa does not teach or suggest “data which includes information which represents a first state to direct the related content to be downloaded

or a second state to direct the related content to be downloaded and played back.”

- (2) Although Kanazawa makes a determination, the determination is different from the determination made in the claimed invention.

The first difference is explained as follows:

According to the Office Action at page 4, the Examiner indicated that col. 4, line 65-col. 5 line 54 and col. 8 lines 10-46 of Kanazawa, discloses the claimed data is in claim 24. However, according to Fig. 2 of Kanazawa, the “DVD 40” only includes “title information 40a” and an “information management table 40b”. Where, the “title information 40a” is merely a movie stream, and while the “information management table 40b” does include URL, it nonetheless fails to include “data which includes information represents the first or second state”, as recited by claim 42.

Accordingly, Kanazawa does not teach or suggest “data which includes information represents the first or second state” in its DVD, and therefore Kanazawa does not “determine whether a request is for downloading the related content or for downloading and playing back the related content, by reproducing the data which includes information represents the first or second state”, as in claim 24.

The second difference is explained as follows:

According to the Office Action at page 4, the Examiner indicated that col. 7, line 53-col. 8, line 9 of Kanazawa discloses that claimed determination. However, according to col. 7, line 60-64, Kanazawa does make a judgment (determination), but the judgment is different from the claimed invention. Specifically, col. 7, lines 60-64 discloses that “[s]pecifically, the judging section 100 judges the validity of resource use on the basis of the information management table 40b, that is, judges whether the Web page corresponding to the stream of information 94 specified by the user can be accessed (step S41).” That is, Kanazawa judges whether the web page can be accessed or not. In other words, Kanazawa only judges the validity of the access. On the other hand, the claimed invention “determines whether a request is for downloading the related content or for downloading and playing back the related content, by reproducing the data which includes information represents the first or second state.” Therefore,

determination (judgment) of the claimed invention and Kanazawa's judgment are significantly different.

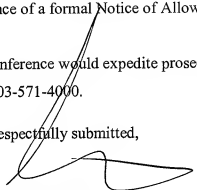
Hence, for at least these reasons, Applicants respectfully submit that Kanazawa fails to teach or suggest each and every element of claim 24. Claims 25 and 27 include similar limitations to those of claim 24. Therefore, for at least these reasons, Applicants submit that claims 24, 25, and 27 are allowable over Kanazawa. Accordingly, Applicants respectfully request that the rejection of claims 24, 25, and 27 be withdrawn.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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